

FORM PTO-1390 (REV. 07-2005)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER UCD-2004-404-WO-US
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			Express Mail No. ED 987389572 US U.S. PCT/IB/304 (If known, see 37 CFR 1.52) Not yet assigned
INTERNATIONAL APPLICATION NO. PCT/US2005/004868	INTERNATIONAL FILING DATE 15 <sup>th</sup> February 2005	PRIORITY DATE CLAIMED 1 <sup>st</sup> March 2004 (60/549,487) 21 <sup>st</sup> October 2004 (60/621,217)	
TITLE OF INVENTION <b>The Use of Lunasin Peptide as a Transcriptional Activator to Prevent Cancer and Related Methods for Treatment, Monitoring and Prognosis</b>			
APPLICANT(S) FOR DO/EO/US <b>Raymond Rodriguez and Mark Magbanua</b>			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li><input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the International Application as filed ( 35 U.S.C 371(c)(2)). <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C 154(d)(4).</li> </ol> </li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PTC Article 19 (35 U.S.C 371(c)(3)) <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C 371 (c)(3)).</li> <li><input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C 371(c)(4)).</li> <li><input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C 371(c)(5)).</li> </ol>			
Items 11 to 20 below concern document(s) or information included:			
<ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input checked="" type="checkbox"/> A preliminary amendment.</li> <li><input type="checkbox"/> An application Data Sheet under 37 CFR 1.76.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li><input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li><input checked="" type="checkbox"/> Other items or information: <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> Copy of front page of published international application</li> <li><input checked="" type="checkbox"/> Copy of PCT/IB/304 showing receipt by IB of the priority document</li> <li><input checked="" type="checkbox"/> Copy of PCT/IB/308 showing communication of the international application to the US Office</li> <li><input checked="" type="checkbox"/> Copy of Declarations, unexecuted</li> <li><input checked="" type="checkbox"/> Copy of Powers of attorney, unexecuted</li> <li><input checked="" type="checkbox"/> Copy of application (true copy of PCT/US2005/004868)</li> </ol> </li> </ol>			

U.S. APPLICATION NO. (if known, see 37 CFR 1.52) <b>10/591097</b>		INTERNATIONAL APPLICATION NO. <b>PCT/US2005/004868</b>		ATTORNEY'S DOCKET NUMBER <b>UCD-2004-404-WO-US</b>																																																													
<p>The following fees are submitted:</p> <p>21. [x] Basic National Fee (37 CFR 1.492 (a)):.....\$300 <input checked="" type="checkbox"/></p> <p>22. [x] Examination Fee (37 CFR 1.492(c))</p> <p>If written opinion prepared by ISA/US or international preliminary examination report prepared by ISA/US indicates all claims satisfy provisions of PCT Art. 33(1-4):.....\$0</p> <p>All other situations.....\$200 <input checked="" type="checkbox"/></p> <p>23. [x] Search Fee (37 CFR 1.492(b))</p> <p>If written opinion prepared by ISA/US or international preliminary examination report prepared by ISA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4):....\$0</p> <p>Search Fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority:.....\$100 <input checked="" type="checkbox"/></p> <p>International Search Report prepared by the ISA other than the US and provided to the Office or previously communicated to the US by the IB.....\$400</p> <p>All other situations.....\$500</p> <p><b>TOTAL of 21, 22 and 23 = \$600</b></p> <p>[ ] Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper of fraction thereof.</p> <table border="1"> <thead> <tr> <th>Total sheets</th> <th>Extra sheets</th> <th>No. of additional sets of 50 sheets</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td colspan="4">Surcharge of \$130.00 for furnishing the oath or declaration or search fee or examination fee later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).</td> </tr> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td>RATE</td> </tr> <tr> <td>Total claims</td> <td>33-20 =</td> <td>0</td> <td>x \$50.00</td> </tr> <tr> <td>Independent claims</td> <td>4 - 3 =</td> <td>1</td> <td>x \$200.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$360.00</td> </tr> <tr> <td colspan="3"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td><b>\$800</b></td> </tr> <tr> <td colspan="3">[x] Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</td> <td>\$400</td> </tr> <tr> <td colspan="3"><b>SUBTOTAL =</b></td> <td><b>\$400</b></td> </tr> <tr> <td colspan="3">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td> <td>\$0</td> </tr> <tr> <td colspan="3"><b>TOTAL NATIONAL FEE =</b></td> <td><b>\$400</b></td> </tr> <tr> <td colspan="3">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40.00 per property +</td> <td>\$</td> </tr> <tr> <td colspan="3"><b>TOTAL FEES ENCLOSED =</b></td> <td><b>\$400</b></td> </tr> <tr> <td colspan="3"></td> <td>Amount to be refunded:</td> </tr> <tr> <td colspan="3"></td> <td>Charged:</td> </tr> </tbody> </table>				Total sheets	Extra sheets	No. of additional sets of 50 sheets	RATE	Surcharge of \$130.00 for furnishing the oath or declaration or search fee or examination fee later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	33-20 =	0	x \$50.00	Independent claims	4 - 3 =	1	x \$200.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	<b>TOTAL OF ABOVE CALCULATIONS =</b>			<b>\$800</b>	[x] Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.			\$400	<b>SUBTOTAL =</b>			<b>\$400</b>	Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			\$0	<b>TOTAL NATIONAL FEE =</b>			<b>\$400</b>	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40.00 per property +			\$	<b>TOTAL FEES ENCLOSED =</b>			<b>\$400</b>				Amount to be refunded:				Charged:	CALCULATIONS PTO USE ONLY	
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IAP9 Rec'd PCT/PTO 29 AUG 2006

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.  
b. ☒ Please charge my Deposit Account No. 503,194 the amount of \$ 400 to cover the above fees. A duplicate copy of this sheet is enclosed.  
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 503,194. A duplicate copy of this sheet is enclosed.  
d. ☐ fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Bell & Associates,  
416 Funston Avenue, Suite 100,  
San Francisco, California 94118  
Tel: (415) 752-4085 Fax: (415) 276-6040



SIGNATURE

NAME: Adam W. Bell


REG. No.: 43,490

10/591097

"Express Mail" mailing label number ED 987389572 US

I hereby certify that this document and referenced attachments are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" addressed to: Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450 on

(DATE) 29 AUG 2006

Printed: Adam Warwick Bell Signed: 

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re U.S. National Phase Application of: Raymond Rodriguez and Mark Magbanua

Title: The Use of Lunasin Peptide as a Transcriptional Activator to Prevent Cancer and Related Methods for Treatment, Monitoring and Prognosis

Serial No.:	Not yet assigned
Filing Date:	Not yet assigned
Examiner:	Not yet assigned
Group Art Unit:	Not yet assigned
International application number:	PCT/US2005/004868
International Filing Date:	15 <sup>th</sup> February 2005
Priority Data:	1 <sup>st</sup> March 2004 (60/549,487) 21 <sup>st</sup> October 2004 (60/621,217)
Publication number:	WO 2005/091823

DOCKET No.	UCD-2004-404-WO-US
Customer No.	039843

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria,  
VIRGINIA  
22313-1450  
USA

Dear Sir:

This is an application for US Patent filed under 35 USC 371.

Please accept this application and take all steps required to ensure filing and pendency.

The Commissioner is hereby authorized to charge any fees associated with this application or credit any overpayment, now or in the future, to Bell & Associates USPTO Deposit Account No. 503,194.

The following documents are enclosed:

Return receipt postcard  
Transmittal cover letter (2 pages)  
Transmittal sheet PTO-1390 (3 pages)  
Preliminary Amendment (3 pages)  
Un-executed Declaration  
Un-executed Power of Attorney  
Copy of application (true copy of PCT/US2005/004868)  
Copy of front page of published international application  
Copy of PCT/IB/304  
Copy of PCT/IB/308

Please do not hesitate to contact the undersigned for all matters related to this application.

Respectfully submitted,

Adam Warwick Bell, D. Phil. Reg. No. 43,490

A handwritten signature in black ink, appearing to read 'A Bell', enclosed within a circular scribble.

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